

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KELLY STRAYER,

Defendant.

8:08CR482

**ORDER ON APPEARANCE FOR
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on November 1, 2019 regarding an Amended Petition for Offender Under Supervision [104]. Joseph Howard represented the defendant. Sean Lynch represented the government. The defendant was advised of the alleged violations of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The government made an oral motion to dismiss the Petition for Offender Under Supervision [97]. The government's oral motion to dismiss the Petition for Offender Under Supervision [97] is granted without objection.

The defendant appeared by summons, or is otherwise not in custody, and will not be detained. Therefore, the defendant does not have right to a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The Court finds the petition sets forth probable cause to believe the defendant violated the terms of supervised release. The defendant shall appear personally for a final dispositional hearing before Senior U.S. District Judge Joseph F. Bataillon in Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 1:30 p.m. on December 3, 2019.

The government did not move for detention. The defendant shall be released on the current terms and conditions of supervision.

IT IS SO ORDERED.

Dated this 1st day of November, 2019.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge